

Case No.: CV 07-04452 SBA

12-19-07.

On December 17, 2007, I was sent a notice of failure to comply with local Rules requiring that originals and copies of all documents being filed with the office in which the assigned judge regularly holds Court."

FILED

DEC 31 2007

I'm unable to comply with that request because I don't have the original copies of my "U.S.C 42 Section 1983" form. I sent those copies to: 450 Golden Gate Avenue, San Francisco.

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Please be informed that I am in custody and don't have access to a copier.

Do I need to refile a form again? If so, please inform me on what I need to do to go forward with my suit.

Thank you.

Respectfully

Carlos Paredes

550 NW
FILED
 AUG 28 2007
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983

Name Paredes Carlos Alberto
 (Last) (First) (Initial)

Prisoner Number 166123

Institutional Address Marin County Jail, #13 Peter Behr DR. San Rafael, CA 94903

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

Carlos Alberto Paredes

(Enter the full name of plaintiff in this action.)

vs.

City of Novato Police Department; Officer
Taira DeBernardi, Badge #281

(Enter the full name of the defendant(s) in this action)

C

07 4452

Case No. _____
 (To be provided by the Clerk of Court)

**COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 Title 42 U.S.C § 1983**

(PR)

E-filing

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies.

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement Marin County Jail

B. Is there a grievance procedure in this institution?

YES (✓) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES (✓) NO ()

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

COMPLAINT

07-4452-SBA

FILED
07 OCT 12 PM 1:48
RICHARD H. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff,

vs.

Defendant.

CASE NO. 007 4452 SBA
PR

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, Carlos Alberto Paredes, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ✓

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 Can't recall.
 5 _____
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ____ No ☒
 10 self employment
 11 b. Income from stocks, bonds, Yes ____ No ☒
 12 or royalties?
 13 c. Rent payments? Yes ____ No ☒
 14 d. Pensions, annuities, or Yes ____ No ☒
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ____ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ____ No ☒

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).
 5 _____
 6 _____

7 5. Do you own or are you buying a home? Yes ____ No ✓

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes ____ No ✓

10 Make _____ Year _____ Model _____

11 Is it financed? Yes ____ No ____ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ____ No ____ (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____
 15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes ____ No ____ Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ____ No ____
 20 _____

21 8. What are your monthly expenses?

22 Rent: \$ _____ Utilities: _____

23 Food: \$ 40-60 Clothing: _____

24 Charge Accounts:

25 Name of Account Monthly Payment Total Owed on This Acct.

26 _____ \$ _____ \$ _____

27 _____ \$ _____ \$ _____

28 _____ \$ _____ \$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)

3 dent recall

4
5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ☐ No ☒

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9
10

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 10/11/07

17 DATE



SIGNATURE OF APPLICANT

18
19
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28


Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of PAREDES CARLOS A. for the last six months
[prisoner name]
MARIN COUNTY JAIL where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 54.00 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 25.00.

Dated: 10-11-07

 1193
[Authorized officer of the institution]

MARIN COUNTY JAIL

Resident Account Summary
Thursday, October 11, 2007 @00:14

For CIN: 166123 PAREDES, CARLOS ALBERT

Date	Transaction Description	Amount	Balance	Owed	Held	Reference
10/08/2007	EPR	OID:100047964-ComisaryPur	-1.85	0.42	0.00	0.00
10/01/2007	EPR	OID:100047817-ComisaryPur	-13.40	2.27	0.00	0.00
09/24/2007	EPR	OID:100047649-ComisaryPur	-11.07	15.67	0.00	0.00
09/24/2007	PHONE CARD	PHONE CARD PURCHASE 09240'	-10.00	26.74	0.00	0.00
09/24/2007	ERF	OID:100047490-ComisaryRef	1.22	36.74	0.00	0.00
09/18/2007	EPR	OID:100047490-ComisaryPur	-27.34	35.52	0.00	0.00
-09/13/2007	DEPMO	MAIL	60.00	62.86	0.00	0.00
09/10/2007	PHONE CARD	PHONE CARD PURCHASE 06100'	-10.00	2.86	0.00	0.00
08/28/2007	EPR	OID:100047108-ComisaryPur	-16.55	12.86	0.00	0.00
08/27/2007	PHONE CARD	PHONE CARD PURCHASE 08270'	-10.00	29.41	0.00	0.00
08/23/2007	EXTRA POSTA	EXTRA POSTAGE MAILED 0823'	-2.16	39.41	0.00	0.00
-08/22/2007	DEPMO	MAIL	40.00	41.57	0.00	0.00
07/31/2007	PHONE CARD	PHONE CARD PURCHASE 07310'	-10.00	1.57	0.00	0.00
07/24/2007	EPR	OID:100046095-ComisaryPur	-13.05	11.57	0.00	0.00
07/10/2007	EPR	OID:100045765-ComisaryPur	-25.39	24.62	0.00	0.00
07/09/2007	PHONE CARD	PHONE CARD PURCHASE 07090'	-10.00	50.01	0.00	0.00
*07/08/2007	DEPCK	MAIL	60.00	60.01	0.00	0.00
07/08/2007	DEPCA	VOID-MAIL	-60.00	0.01	0.00	0.00
-07/07/2007	DEPCA	MAIL	60.00	60.01	0.00	0.00
06/26/2007	EPR	OID:100045436-ComisaryPur	-3.75	0.01	0.00	0.00
06/19/2007	EPR	OID:100045254-ComisaryPur	-17.03	3.76	0.00	0.00
06/12/2007	EPR	OID:100045085-ComisaryPur	-6.89	20.79	0.00	0.00
06/05/2007	EPR	OID:100044842-ComisaryPur	-20.69	27.68	0.00	0.00
06/04/2007	PHONE CARD	PHONE CARD PURCHASE 06040'	-10.00	48.37	0.00	0.00
05/26/2007	<INP>	Payment for INP on 2007-0.	-1.63	58.37	0.00	0.00
-05/26/2007	DEPMO	MAIL	60.00	60.00	1.63	0.00
05/22/2007	<INP>	OID:100044558-ComisaryPur	-1.16	0.00	1.63	0.00
05/22/2007	INP	OID:100044558-ComisaryPur	2.79	1.16	2.79	0.00
04/24/2007	EPR	OID:100043735-ComisaryPur	-9.41	1.16	0.00	0.00
04/23/2007	PHONE CARD	PHONE CARD	-10.00	10.57	0.00	0.00
04/17/2007	EPR	OID:100043496-ComisaryPur	-19.88	20.57	0.00	0.00
04/16/2007	PHONE CARD	PHONE CARD	-10.00	40.45	0.00	0.00
-04/13/2007	DEPMO	MAIL	50.00	50.45	0.00	0.00
04/03/2007	EPR	OID:100043201-ComisaryPur	-10.06	0.45	0.00	0.00
03/27/2007	EPR	OID:100042979-ComisaryPur	-11.93	10.51	0.00	0.00
03/26/2007	PHONE CARD	PHONE CARD PURCHASE 03260'	-20.00	22.44	0.00	0.00
03/13/2007	EPR	OID:100042627-ComisaryPur	-8.57	42.44	0.00	0.00
03/12/2007	PHONE CARD	PHONE CARD PURCHASE 03120'	-20.00	51.01	0.00	0.00
03/09/2007	DEPMO	MAIL	50.00	71.01	0.00	0.00
03/06/2007	EPR	OID:100042466-ComisaryPur	-9.74	21.01	0.00	0.00
02/20/2007	EPR	OID:100042038-ComisaryPur	-10.40	30.75	0.00	0.00
02/20/2007	PHONE CARD	PURCHASE	-20.00	41.15	0.00	0.00
02/13/2007	DEPMO	MAIL	60.00	61.15	0.00	0.00
01/29/2007	PHONE CARD	PHONE CARD PURCHASE 01290'	-60.00	1.15	0.00	0.00
01/23/2007	EPR	OID:100041419-ComisaryPur	-3.58	61.15	0.00	0.00
01/19/2007	DEPMO	MAIL	40.00	64.73	0.00	0.00
01/16/2007	EPR	OID:100041235-ComisaryPur	-7.11	24.73	0.00	0.00
01/15/2007	PHONE CARD	PHONE CARD PURCHASE 01150'	-20.00	31.84	0.00	0.00
01/10/2007	DEPMO	MAIL	50.00	51.84	0.00	0.00
01/09/2007	EPR	OID:100040944-ComisaryPur	-3.65	1.84	0.00	0.00
12/27/2006	EPR	OID:100040631-ComisaryPur	-2.56	5.49	0.00	0.00
12/27/2006	PHONE CARD	PHONE CARD PURCHASE 12270'	-20.00	8.05	0.00	0.00
12/19/2006	EPR	OID:100040445-ComisaryPur	-12.51	28.05	0.00	0.00
12/19/2006	DEPMO	MAIL	20.00	40.56	0.00	0.00
12/18/2006	PHONE CARD	PHONE CARD PURCHASE 12180'	-10.00	20.56	0.00	0.00
12/12/2006	EPR	OID:100040262-ComisaryPur	-9.55	30.56	0.00	0.00
12/11/2006	PHONE CARD	PHONE CARD PURCHASE 12110'	-10.00	40.11	0.00	0.00
12/08/2006	DEPMO	MAIL	50.00	50.11	0.00	0.00

FILED
07 AUG 28 PM 2:06
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

SBA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(PR)

CASE NO. **07 4452**

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

Plaintiff,

vs.

Defendant.

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Carlos Paredes
Marin County Jail
13 Peter Buar DR.
San Rafael CA. 94903

United States District Court
Northern District of California
1301 Clay Street, Suite 4005
Oakland, CA. 94612.